

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED

DEC 14 2017

Clerk, U.S. District Court
District Of Montana
Missoula

UNITED STATES OF AMERICA,

CR 17-31-M-DWM

Plaintiff,

vs.

ORDER

TODD K. SPENCE,

Defendant.

On November 2, 2017, Defendant Todd K. Spence filed his Notice of Appeal. (Doc. 1.) A Scheduling Order was subsequently entered requiring he request transcripts by November 9, 2017, and file his opening brief on or before December 7, 2017, (Doc. 3); he failed to do either.

Accordingly, IT IS ORDERED that Spence shall file his opening brief on or before **January 5, 2018**. If he fails to either file his opening brief by that date or show cause why such a brief cannot be filed, this appeal may be dismissed. If this appeal is dismissed, the stay on Spence's restitution obligations and his obligation to pay processing fees will also be lifted.

IT IS FURTHER ORDERED that if Spence timely files his opening brief, the following schedule will govern further deadlines in this matter:

Appellee's response brief served and filed

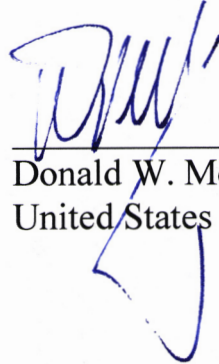
January 19, 2018

Appellant's reply brief served and filed

January 26, 2018

This schedule must be adhered to without exception.

DATED this 14th day of December, 2017.



Donald W. Molloy, District Judge
United States District Court